

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>JAMES D. LYONS,</b>	)	<b>CASE NO. 4:03CV1620</b>
	)	
<b>PLAINTIFF,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>V.</b>	)	
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	<b>ORDER</b>
	)	
<b>DEFENDANT.</b>	)	
	)	

This matter is before the Court upon the Federal Defendants' Motion for Summary Judgment. (Dkt. # 187).

On February 11, 2004, this Court issued an order assigning this case to Magistrate Judge James S. Gallas for general pre-trial supervision. (Dkt. # 33). On September 26, 2007, the Magistrate issued an Interim Report and Recommendation, recommending that the Court grant the Federal Defendants' Motion for Summary Judgment with respect to only the second, sixth, and seventh counts of Plaintiff's Amended Complaint. (Dkt. # 219). Plaintiff timely filed objections to the Magistrate's R&R. (Dkt. # 222). The Court has reviewed Plaintiff's objections and finds that they are without merit.

The Court has reviewed the interim report and recommendation of the Magistrate Judge *de novo*, and finds that it is well-supported. Defendants Janet Bunts, Shirley Deeds, Daniel Hall, Moheb Sidhom, Dr. Ross Quinn, Dr. John Manenti, Mohammed Azam, Warden John LaManna, Chris Williams, Chief Medical Officer Goforth, L. Smith,

E. Barby, Dr. Ellen Blair, Brian Jett, Bob Ellis, Mary Ellis, and Warden Arthur F. Beeler are entitled to qualified immunity against Plaintiff's claims brought against these Defendants in their individual capacities.

Therefore, Magistrate Judge Gallas' report and recommendation is hereby **ADOPTED**. (Dkt. # 219). The Federal Defendants' Motion for Summary Judgment is **GRANTED** with respect to Counts I, VI and VII of Plaintiff's Amended Complaint. (Dkt. # 187).

**IT IS SO ORDERED.**

/s/ Peter C. Economus – January 11, 2008  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**